

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 1 of 11

**CALL TO ORDER:** The Village of Peninsula Council convened from 7:05 p.m. to 9:10 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the pledge of allegiance with the following members and visitors present:

**COUNCIL MEMBERS:**

Michael Matusz	Present	Brian Schall	Present
Carol Kramer	Present	Pamela Schneider	Present
Dee Holody	Present	Dan Schneider	Present
Douglas Mayer, Mayor	Present		

**OTHERS PRESENT**

John Stiegel, Connie Hesske, Rebecca Garner, Roger Robinson, Kevin Kramer, Charles Uray

**CITIZEN PARTICIPATION**

None

**COUNCIL PARTICIPATION**

None

**SOLICITOR REPORT**

Solicitor Hesske reported on the sidewalk and grate concern located at 1741 Main Street:

The property owner received a permit, years ago, to install a drain alongside the sidewalk.

The drain was installed within the sidewalk.

The Village has repaired the sidewalk.

Water is puddling, sidewalk breaking down, resident wanted fixed.

Cannot compel resident to fix.

Recommended the Village correct the sidewalk at no cost to the resident.

Mr. Matusz entered the meeting at 7:10 pm.

Mrs. Kramer asked if the resident would like to see a fix to the drain so that it is still functional.

Mayor Mayer discussed the actual concerns with the drain noting that the Stow Building Department and Zoning Inspector had acknowledged the need to correct the drain. Members discussed the solution:

The Village's Service Department will move the drain to alongside the sidewalk.

Replace the sidewalk with sandstone if available, if not available use concrete.

Mr. Robinson noted that the original drain was moved after the sidewalks were repaired.

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 2 of 11

Mr. Robinson stated that a piece of sandstone may be available.

**MOTION:** TO APPROVE THE REPAIR THE 1741 MAIN STREET SIDEWALK/GRATE LOCATED AS REQUESTED.

Moved by Ms. Schneider, seconded by Mr. Schall.

Votes were: Michael Matusz, abstained; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.

(Motion 1-2015)

**FISCAL OFFICER'S REPORT**

Mr. Stiegel asked for consideration of the meeting minutes.

**MOTION:** TO APPROVE THE DECEMBER 8, 2014 REGULAR MEETING MINUTES IN FINAL FORM.

Moved by Ms. Holody, seconded by Mrs. Kramer.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.

(Motion 2-2015)

**MOTION:** TO ACKNOWLEDGE THE FINANCIAL REPORTS.

Moved by Ms. Holody, seconded by Mrs. Kramer.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.

(Motion 3-2015)

**MOTION:** TO PAY THE BILLS.

Moved by Ms. Holody, seconded by Mrs. Kramer.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.

(Motion 4-2015)

**POLICE DEPARTMENT**

Mayor Mayer reported that Chief Varga had submitted for new police cars which the topic would be included on next month's agenda. Mayor Mayer also noted that the department had been busy with route 271. Ms. Holody asked if the request would be for two police cars. Members agreed to defer discussion until next month's meeting.

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 3 of 11

**ZONING**

Nothing in addition to submitted report.

**BOARD OF ZONING APPEALS.**

Ms. Garner reported that the variance application for the Winking Lizard sign was not approved.

Mr. Greg Canda's re-appointment to the Board should be confirmed by Council.

**MOTION:** CONFIRM THE RE-APPOINTMENT OF GREG CANDIA TO THE BOARD OF ZONING APPEALS.

Moved by Ms. Holody, seconded by Mr. Schneider.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 5-2015)

**FIRE BOARD**

Mr. Schneider reported on the budget concerns that have since been rectified noting that there was a \$72,000 discrepancy. Lori Shields was hired as the new clerk.

**PLANNING COMMISSION**

No meeting in December.

**CEMETERY**

Mr. Schneider reported that everything is fine, there are some new rules and regulations being instituted. Solicitor Hesske asked if only residents can utilize the cemetery. Mr. Schneider stated that there is a 1% Mill Levy associated with the Cemetery. Solicitor Hesske noted that public monies, if received, does not allow for restrictions for burials.

**CHAMBER OF COMMERCE**

Minutes were not received.

Ms. Holody asked if a notice regarding the Lifetime Achievement Award presentation could be included within the Community News. Members agreed that the presentation should occur during the March meeting.

**NEW BUSINESS**

Rebecca Garner resigned from her position as of January 16, 2015. Her last day will be the last day of January. Mayor Mayer asked for Council's consideration of establishment of the position and pay

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 4 of 11

grade. Solicitor Hesske drafted two pieces of legislation, an amendment to the police pay ordinance to cover the two administrative positions, one full time administrative assistant, one part time assistant to the fiscal officer, and a Zoning Inspector position. Documents were distributed to members. Solicitor Hesske asked for Council's consideration but not vote related to the documents. Solicitor Hesske explained Roberts Rules as procedures and that the addition of the legislation presented was presented and not against any laws or rules. The public has had full disclosure and knowledge of the legislation presented at the meeting. The Ordinance was prepared as requested.

Members discussed the two Ordinances:

Ms. Schneider asked if Administrative Assistant is the appropriate title.

Solicitor will update the job description associated with the position.

Noted that most municipalities do employ a full time administrative assistant.

Duties to include Planning Commission, JEDD, Records Retention, etc.

Solicitor explained to members that the State of Ohio Auditor had written a management letter as a result of the Audit that clearly expressed need for the establishment of positions and pay structures.

The biggest alerts to your fiscal responsibility is the pay scales.

Resolutions and Ordinances establish the written records for wages.

The next audit will occur two years.

There is a lack of fiscal procedures.

Village of Lakemore in fiscal emergency.

Solicitor Hesske distributed a draft copy of the legislation for the pay scales.

Solicitor suggested Council give the authority to advertise for the position.

Advertise for both part time and full time.

Mrs. Kramer asked John Stiegel, Fiscal Officer, to speak to the work load. She noted that the Records have been updated, at least enough to provide them to Walter Drane for codification, but still not where the records should be to be compliant. Mr. Stiegel:

Difficult to keep Village Hall open daily with part time positions only.

He is, at times, out of the office for meetings.

Work load could justify a full time position.

Nancy was employed full time within a multifunctional position also.

Solicitor Hesske stated: "pursuant to the auditor everybody needs to be on a pay scale."

"Your pay needs to be done." Mr. Stiegel noted that part time would not necessarily equal 24 hours per week. Ms. Holody asked about the duties of the administrative assistant position compared to the full time clerk employed now. Solicitor Hesske noted that the initial pay scale ordinance submitted to

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 5 of 11

Council had included the Clerk of Courts. The Mayor's Court was suspended in order to determine its feasibility and complete the audit. Solicitor Hesske also noted that the intention was to re-open the Court. The position was removed from the pay scale ordinance. Ms. Holody asked if Rebecca's duties Clerk of Court, minutes and clerk of council, and zoning will be included within the Administrative Assistant position. Rebecca's position of Clerk of Court will no longer exist. Solicitor Hesske suggested again to advertise for part time and full time administrative assistant. Solicitor Hesske noted that the Zoning Inspector will be a separate position. Solicitor Hesske stated: I believe the most important is to allow Council to vote on the pay scale in order to satisfy the auditors. Both legislation can be added to the agenda this evening. Ms. Schneider asked about the duties to be included within the legislation, Solicitor Hesske stated she had not completed the list yet. Ms. Holody asked if the clerk of council position is required by law. Solicitor Hesske stated that the position can be included within another position.

Mrs. Kramer and Ms. Holody both inquired with the Fiscal Officer if he would be interested in full time. If he (Mr. Stiegel) did consider full time, he would require health benefits for he and his wife. Mrs. Kramer asked if the proposal could be considered. Mr. Stiegel would consider the full time position since he already works full time hours but paid part time. Mayor Mayer then stated: Since the position John has requires more hours but is part time and is a "man's job", should a pay increase for John be considered? Solicitor Hesske asked if a pay scale ordinance exists for the Fiscal Officer. Yes, replied John Stiegel. Members agreed that Mr. Stiegel has been employed four years with no change to his compensation.

Members discussed the pay scale for administrative support employees of the Village submitted at the meeting by the Solicitor:

Is \$12.00/hour too much to start a new employee?

Members agreed that \$.50 less to start would be an option, starting wage at \$11.50

Reviewed the probationary requirements included within the employee handbook.

Possible increase from \$11.50 to \$12.00 after completion of probation.

Completion of probationary period does not automatically authorize pay increase.

Should the probationary period be increased? No.

Members agreed to reference current policy within the handbook.

Lori Frazee employed over three years with no advancement in pay.

Rebecca Garner here three years with no advancement in pay.

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 6 of 11

**MOTION:** AUTHORIZE THE FISCAL OFFICER TO PUBLISH WITHIN THE WEST SIDE LEADER AN ADVERTISEMENT FOR THE FULL TIME ADMINISTRATIVE ASSISTANT POSITION.

Moved by Ms. Holody, seconded by Mrs. Kramer.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 6-2015)

**OLD BUSINESS**

Mayor Mayer asked for nominations for President Pro Tempore of Council.

**MOTION:** NOMINATION FOR DAN SCHNEIDER AS PRESIDENT PRO TEMPORE OF COUNCIL.

Moved by Mr. Schall, seconded by Ms. Schneider.

Votes were: Michael Matusz, nay; Brian Schall, nay; Pamela Schneider, aye; Dee Holody, nay; Daniel Schneider, aye, Carol Kramer, nay. Vote counted as 3 aye and 3 nay, the Mayor cast a vote of nay. **Motion failed.**

(Motion 7-2015)

**MOTION:** NOMINATION FOR DEE HOLODY AS PRESIDENT PRO TEMPORE OF COUNCIL.

Moved by Mrs. Kramer, seconded by Mr. Matusz.

Votes were: Michael Matusz, aye; Brian Schall, nay; Pamela Schneider, nay; Dee Holody, aye; Daniel Schneider, nay, Carol Kramer, aye. Vote counted as 3 aye and 3 nay, the Mayor cast a vote of aye. **Motion passed.**

(Motion 8-2015)

**MOTION:** NOMINATION FOR DAN SCHNEIDER AS VICE PRESIDENT OF COUNCIL.

Moved by Mr. Matusz, seconded by Mr. Schall

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, nay. Motion passed unanimously.  
(Motion 9-2015)

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 7 of 11

**LEGISLATION**

**ORDINANCE 3-2015**

AN ORDINANCE TO ESTABLISH A FULL TIME POSITION OF ADMINISTRATIVE ASSISTANT IN THE VILLAGE OF PENINSULA TO ASSIST IN ALL ASPECTS OF THE GOVERNING OF THE VILLAGE OF PENINSULA, OHIO AND DECLARING AN EMERGENCY.

Solicitor Hesske then stated: Can I have a motion to amend the agenda to include Ordinance 3-2015 as a **first reading only**.

**MOTION:** TO ADD ORDINANCE 3-2015 TO THE AGENDA AS A FIRST READING ONLY.

Moved by Ms. Holody, seconded by Mr. Matusz.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 10-2015)

Solicitor Hesske noted the missing Exhibit to the legislation. She stated that the exhibit will be included with the second reading of the legislation.

Solicitor Hesske then stated: Can I have a motion to amend the agenda to include Ordinance 5-2014(C) as a **first reading only**.

**ORDINANCE 5-2014(C)**

AMENDMENT TO ORDINANCE NO. 5-2014(B) TO ORDINANCE 5-2014(C) TO ESTABLISH AND INCLUDE A PAY SCALE FOR THE ADMINISTRATIVE POSITIONS OF FULL-TIME ADMINISTRATIVE ASSISTANT; PART TIME POSITION OF ASSISTANT TO THE FISCAL OFFICER AND THE SALARIED POSITION OF ZONING INSPECTOR WITHIN THE ESTABLISHED GUIDELINES OF ORDINANCE NO.5-2014 AND DECLARING AN EMERGENCY.

**MOTION:** TO ADD ORDINANCE 5-2014(c) TO THE AGENDA AS A FIRST READING ONLY.

Moved by Ms. Holody, seconded by Ms. Schneider.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 8 of 11  
(Motion 11-2015)

Solicitor Hesske then asked for a motion to consider Resolution 1-2015. Members reviewed the Resolution and requested the Solicitor include part-time employees within the legislation.

**RESOLUTION 1-2015**

A RESOLUTION ESTABLISHING A DISCRETIONARY HOLIDAY BONUS PROGRAM FOR FULL TIME EMPLOYEES.

**MOTION:** TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READING RULES FOR RESOLUTION 1-2015.

Moved by Mr. Schneider, seconded by Ms. Schneider.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 12-2015)

**MOTION:** TO ADOPT RESOLUTION 1-2015 AS AMENDED TO INCLUDE PART TIME EMPLOYEES.

Moved by Ms. Schneider, seconded by Mr. Schall.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 13-2015)

**RESOLUTION 2-2015**

A RESOLUTION TO ESTABLISH A JOINT AGREEMENT WITH THE VILLAGE OF BOSTON HEIGHTS, OHIO FOR EXCHANGE OF SERVICES TO MAINTAIN AKRON PENINSULA ROAD BETWEEN BOSTON MILLS ROAD IN THE VILLAGE OF BOSTON HEIGHTS AND THE END OF THE ROADWAY WITHIN THE VILLAGE OF PENINSULA.

**MOTION:** TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READING RULES FOR RESOLUTION 2-2015.

Moved by Mrs. Kramer, seconded by Mr. Schall.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 14-2015)

1/27/2015



RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 9 of 11

**MOTION:** TO ADOPT RESOLUTION 2-2015.

Moved by Mrs. Kramer, seconded by Mr. Schall.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.  
(Motion 15-2015)

**RESOLUTION 34-2014**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO RENEW THE CONTRACT FOR LEGAL SERVICES WITH THE CURRENT SOLICITOR, CONSTANCE A. HESSKE AND DECLARING AN EMERGENCY.

**MOTION:** MOTION TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READING RULE FOR RESOLUTION 34-2014.

Moved by Ms. Holody, seconded by Mr. Schall.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, nay; Dee Holody, aye; Daniel Schneider, nay; Carol Kramer, aye. Votes tallied as: 4 aye; 2 nay.  
(Motion 16-2015)

Solicitor Hesske had stated that the motion to suspend had passed, Ms. Garner corrected the Solicitor to state that super majority was not in agreement. Solicitor Hesske read disagreed further noting a super majority was not necessary according to 731.17. Solicitor Hesske then corrected her comment and further stating that the Resolution suspension failed and will move to third reading.

**ORDINANCE 10-2014**

AN ORDINANCE TO ESTABLISH COMPENSATION LEVELS FOR ASSISTANT TO THE FISCAL OFFICER, CLERK OF COURTS, DEPUTY CLERK OF COURT, CLERK OF COUNCIL, ZONING INSPECTOR AND DECLARING AN EMERGENCY.

Solicitor Hesske stated to Council: In view of the legislation added to the agenda as set forth, does the originator wish to withdrawal Ordinance 10-2014 from the agenda. Mayor Mayer stated, yes. Solicitor Hesske then stated that the legislation 10-2014 has been withdrawn from the agenda.

*Second Readings:*

None.

*Third Readings:*

1/27/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 10 of 11

None.

*Tabled:*

**RESOLUTION 21-2014**

RESOLUTION TO AUTHORIZE THE VILLAGE OF PENINSULA ("VILLAGE"), THROUGH THE MAYOR, TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA VALLEY PRESERVATION AND SCENIC RAILROAD ASSOCIATION ("RAILWAY") AND DECLARING AN EMERGENCY.

Solicitor Hesske stated that the Mayor was working on a resolution with the railway and the legislation would remain tabled.

Mr. Matusz thanked Rebecca for her service to the Village.

Mayor Mayer then noted that Rebecca had offered (at the request of the Fiscal Officer) to attend and take minutes, at her hourly rate, for the February 9<sup>th</sup> meeting.

**MOTION:** MOTION TO AUTHORIZE THE CLERK COME BACK FOR THE FEBRUARY COUNCIL MEETING.

Moved by Mr. Schneider, seconded by Mr. Matusz.

Votes were: Michael Matusz, aye; Brian Schall, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye, Carol Kramer, aye. Motion passed unanimously.

(Motion 17-2015)

**ADJOURNMENT**

**MOTION:** TO ADJOURN AT 9:10 PM.

Moved by Mrs. Kramer, seconded by Ms. Holody.

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye; Carol Kramer, aye. Motion passed.

(Motion 18-2015)

Respectfully submitted:

1/27/2015

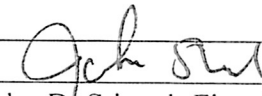
RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 26, 2015

Page 11 of 11

  
Douglas G. Mayer, Mayor

Date

  
John D. Stiegel, Fiscal Officer

  
Date

The Village of Peninsula's next regular meeting of Council will be held February 9, 2015 at 7:00 pm at the Village Hall within Council chambers. Council Chambers are on the second floor of the Village Hall, 1582 Main Street, Peninsula, Ohio, 44264. (Corner of Akron-Peninsula Road and State Route 303)

rg

1/27/2015

